



HOUSE BILL 1169 OVERVIEW

- **Authors:** Avery, Koch, Klinker, Lawson **Sponsors:** Dillon, Altig, Broden, Rogers, Landske, Zakas
- **Purpose:** To improve and expand the development and operation of the 8 pilot volunteer adult guardianship programs known as Volunteer Advocates for Seniors and Volunteer Advocates for Incapacitated Adults Programs across the state.
- The VAS/VAIA Programs are being developed to provide no-cost / low cost adult guardianship services in 13 counties, including Allen, Elkhart, Jasper, Lake, LaPorte, Lawrence, Newton, Porter, Pulaski, St. Joseph, Starke, Tippecanoe and Vanderburgh counties.
- The General Assembly enacted the legislation to create the VAS/VAIA Programs in 2004 and 2006 and appropriated start-up funding through the Division of Disability and Rehabilitative Services in the 2007-09 & 2009-11 state budgets.
- The new language in the bill brings the program statutes in line with what we have learned from operating the programs and with the actual practices of the programs and Probate Courts who oversee them.
 - ▶ Adds definitions for the VAS/VAIA Programs and requires that they be Indiana nonprofit corporations or programs of Indiana nonprofit corporations or that they be operated by Indiana county governments or courts.
 - ▶ Clarifies that it is the VAS/VAIA Programs that are appointed the guardian and not the individual volunteer advocate.
 - ▶ Further defines the required reporting the VAS/VAIA Programs must do for the Probate Courts and extends the time of the initial appointment of the Programs from 60 days to 90 days so that they have adequate time to do their investigations and planning for the case.
 - ▶ Clarifies that the VAS/VAIA Programs may be appointed by the Court as the guardian of the person or of the person and property.
 - ▶ Further defines the guardianship duties and powers of the VAS/VAIA Programs as it relates to the person and property and brings them in line with the existing general adult guardianship statutes.
 - ▶ Adds statutes that are found in the existing CASA / Volunteer Guardian ad Litem Program statutes that:
 - Allow the Courts to order reasonable compensation or reimbursement of expenses for services provided by the programs.
 - Allow the Courts to establish joint or multiple county programs.
 - Allow the Courts to contract for programs with Indiana nonprofit corporations.
 - ▶ Adds that VAS/VAIA Programs that are programs of service provider nonprofit corporations must reveal any conflicts of interest to the Court.